

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of ZANDER GARY DOLMAN,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MELISSA DOLMAN,

Respondent-Appellant.

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UNPUBLISHED

January 30, 2007

No. 271823

Ingham Circuit Court

Family Division

LC No. 00-476793-NA

Before: Borrello, P.J., and Jansen and Cooper, JJ.

MEMORANDUM.

Respondent appeals as of right the circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g), (i), and (j). We affirm. This appeal is being decided without oral argument. MCR 7.214(E).

To terminate parental rights, the circuit court must find that at least one of the statutory grounds contained in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993). Here, the trial court did not err in finding that at least one statutory ground for termination was established. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). On appeal, respondent does not argue that a statutory basis for termination did not exist. Rather, she argues that termination of her parental rights was clearly contrary to the child's best interests. We disagree.

The trial court was required to terminate respondent's parental rights unless it appeared from the record that termination was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent's history with the agency was extensive. Zander's older brother, Tyler, came into agency care in 2001 as a result of domestic abuse. Zander's sister, Paige, came into agency care in 2004 as a result of substantiated neglect. In both of these cases respondent was offered extensive services, but only sporadically participated. Respondent voluntarily relinquished her rights to Tyler in March 2004, and her parental rights to Paige were terminated in April 2005.

The evidence showed that respondent regularly visited with Zander. Moreover, respondent took parenting classes over the years and the caseworker testified that respondent's

parenting skills had improved as a result. Respondent also participated in counseling, and her counselor testified that she was motivated and an enthusiastic participant. However, the evidence also showed the absence of any significant bonding between respondent and Zander. Further, there were obstacles to reunification that continued to exist some five years following respondent's initial agency contact. Respondent failed to substantially comply with court-ordered services. Respondent specifically failed to obtain a legal source of income. More importantly, respondent continued to maintain a relationship with Donald Fisher despite the circuit court's repeated admonitions that the child would not be returned to her if Fisher remained in her home and involved in her life. Fisher was Paige's father and was steadfast in his refusal to participate in court-ordered services. His conduct was the primary reason that Paige was made a court ward. Fisher had a substance abuse problem and there were allegations of domestic abuse against Fisher as well. In light of respondent's continued dependence on Fisher, the circuit court found that reunification would not be in the best interests of Zander. On the record before us, we must conclude that the trial court properly determined that termination was not clearly contrary to the child's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357.

Affirmed.

/s/ Stephen L. Borrello

/s/ Kathleen Jansen

/s/ Jessica R. Cooper